

FILED NOV 05 2008 USDC-ORE

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

WAYNE P. McBEE,

**Plaintiff,**

**v.**

**Civil No.: 08-1049-TC**

FREDERICK BURT, DEPUTY DOUGLASS,

**Defendants.**

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**FINDINGS AND RECOMMENDATION**

Plaintiff was ordered on September 25, 2008, to pay the requisite filing fee or to submit an application to proceed in forma pauperis by October 27, 2008. To date nothing has been filed.

This action should be dismissed for plaintiff's failure to prosecute and failure to comply with a court order.

Dated: November 5<sup>th</sup>, 2008.

  
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**United States Magistrate Judge**

FINDINGS AND RECOMMENDATION